

Village Council
April 2, 2007
7:00 PM

MINUTES
Regular Session

Call to Order:

The Council of the Village of Canal Winchester met on the above date for its regularly scheduled meeting and was called to order by Dr. Bender at 7:00 pm.

Pledge of Allegiance:

Lead by Ms. Mershon

Roll Call:

Present for roll call was: Dr. Bender, Mr. Donahue, Ms. Eisnaugle, Mr. Jarvis,
Ms. Mershon, Mr. Paini, and Ms. Turner.

Approval of Minutes:

Mr. Donahue moved to approve the minutes of the March 19, 2007 Regular Council meeting and was seconded by Ms. Eisnaugle. Motion carried.

**VOTE: AYES: Mr. Donahue, Ms. Eisnaugle, Ms. Turner, Mr. Paini,
Ms. Mershon, Mr. Jarvis and Dr. Bender.**

NAYS:

Communications & Petitions:

Thank you card from Canal Winchester after Prom Committee for the donation from the bed tax monies.

Letter from Solid Waste Authority of Central Ohio (SWACO) – Invitation to submit nominations for the first annual Central Ohio “Emerald” Awards.

Letter from FEMA regarding the Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM). Ads are running in the Columbus Dispatch for anyone who wishes to comment on the changes that are being made to the base rate map.

Letter from Larry Flowers regarding House Bill 33 which will provide for greater enforcement of unsafe railroad tracks, bridges and other structures by the Public Utilities Commission, through the issuance of show cause and emergency orders and assessment of heavier fines and forfeitures.

Ms. Osborn also passed out a letter that she received from Rebecca Dulik in support of Fairfield County Sheriff's Department receiving the contract for another three years.

Council also received a note from Holly Fenner saying this is her last meeting because she has accepted a position with the Association of College and University Housing Officers-International at Ohio State.

Dr. Bender talked about the Miracles of Magic that he attended, which the Village provided grant money for from the bed tax monies.

Village Residents Comments:

Jeffrey Bond 36 Washington Street addressed council about the JEDD resolution R-04-07B.

Rick Deeds 7302 Crosset Court spoke on behalf of the Canal Winchester Education Fund. The Village gave a \$1,500 grant for a high school senior last year and they are requesting another \$1,500 grant for this year.

ORDINANCES:

1st Reading

Sponsor: Ms. Mershon

O-04-07A AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH KMC PAVING FOR THE 2007 STREET COMMUNITY INVESTMENT PROGRAM PROJECT AND DECLARING AN EMERGENCY.

Ms. Mershon gave the first reading of the above draft ordinance. Ms. Mershon then moved to suspend the rules requiring the 2nd and 3rd readings and was seconded by Mr. Donahue. All ayes, motion carried.

VOTE: AYES: Ms. Mershon, Mr. Donahue, Dr. Bender, Mr. Jarvis, Mr. Paini, Ms. Turner, and Ms. Eisnaugle.

NAYS:

Ms. Mershon moved to adopt ordinance 20-07 and was seconded by Mr. Donahue. All ayes, motion carried.

VOTE: AYES: Ms. Mershon, Mr. Donahue, Ms. Turner, Ms. Eisnaugle, Mr. Paini, Mr. Jarvis, and Dr. Bender.

NAYS:

Sponsor: Mr. Paini

O-04-07B AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH RL PARSONS AND SONS FOR THE PURCHASE OF A BOOMFORD BOOM MOWER TRACTOR ATTACHMENT FOR ROADSIDE MOWING AND DECLARING AN EMERGENCY.

Mr. Paini gave the first reading of the above draft ordinance. Mr. Paini then moved to suspend the rules requiring the 2nd and 3rd readings and was seconded by Mr. Jarvis. All ayes, motion carried.

VOTE: AYES: Mr. Paini, Mr. Jarvis, Dr. Bender, Ms. Turner, Mr. Donahue, ms. Mershon, and Ms. Eisnaugle.

NAYS:

Mr. Paini moved to adopt ordinance 21-07 and was seconded by Ms. Mershon. All

ayes, motion carried.

VOTE: **AYES:** **Mr. Paini, Ms. Mershon, Mr. Donahue, Ms. Turner,**
 Ms. Eisnaugle, Mr. Jarvis, and Dr. Bender.
NAYS:

Sponsor: Ms. Eisnaugle

O-04-07C AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO
CONTRACTS WITH THE DIRECTOR OF TRANSPORTATION NECESSARY
TO COMPLETE THE REHABILITATION OF THE BRIDGE STRUCTURE ON
LITHOPOLIS-WINCHESTER ROAD OVER WALNUT CREEK.

Ms. Eisnaugle gave the first reading of the above draft ordinance.

Sponsor: Mr. Paini

O-04-07D A ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A
CONTRACT WITH JD EQUIPMENT, INC. FOR THE PURCHASE OF A 2007
JOHN DEERE 5325 TRACTOR FOR ROADSIDE MOWING AND DECLARING
AN EMERGENCY.

Mr. Paini gave the first reading of the above draft ordinance. Mr. Paini then moved
to suspend the rules requiring the 2nd and 3rd readings and was seconded by Ms.
Mershon. All ayes, motion carried.

VOTE: **AYES:** **Mr. Paini, Ms. Mershon, Ms. Turner, Mr. Jarvis,**
 Ms. Eisnaugle, Mr. Donahue, and Dr. Bender.
NAYS:

Mr. Paini moved to adopt ordinance 22-07 and was seconded by Ms. Mershon. All
ayes, motion carried.

VOTE: **AYES:** **Mr. Paini, Ms. Mershon, Ms. Turner, Mr. Jarvis,**
 Ms. Eisnaugle, Mr. Donahue, and Dr. Bender.
NAYS:

Sponsor: Ms. Turner

O-04-07E AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A
CONTRACT WITH REPUBLIC BUILDERS, LLC FOR THE WALNUT CREEK
PARK PHASE I PROJECT AND DECLARING AN EMERGENCY.

Ms. Turner gave the first reading of the above draft ordinance. Ms. Turner then
moved to suspend the rules requiring the 2nd and 3rd readings and was seconded by
Mr. Donahue. All ayes, motion carried.

VOTE: **AYES:** **Ms. Turner, Mr. Donahue, Mr. Paini, Dr. Bender,**
 Ms. Mershon, Ms. Eisnaugle, and Mr. Jarvis.
NAYS:

Ms. Turner moved to adopt ordinance 23-07 and was seconded by Mr. Donahue. All
ayes, motion carried.

VOTE: **AYES:** **Ms. Turner, Mr. Donahue, Mr. Paini, Dr. Bender,**
 Mr. Jarvis, Ms. Mershon, and Ms. Eisnaugle.
NAYS:

Sponsor: Mr. Donahue

O-04-07F AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO AN
AGREEMENT WITH AUDITOR OF STATE, MARY TAYLOR, CPA AND

JONES, COCHENOUR & COMPANY AN INDEPENDENT PUBLIC
ACCOUNTANT TO PERFORM AN AUDIT OF THE FINANCIAL RECORDS OF
THE VILLAGE FOR THE FISCAL PERIODS JANUARY 1, 2005 THROUGH
DECEMBER 31, 2008.

Mr. Donahue gave the first reading of the above draft ordinance.

Sponsor: Ms. Mershon

O-04-07H AN ORDINANCE TO AMEND ORDINANCE NUMBER 09-07 AND
REPEALING ORDINANCE 87-96, 10-02, 48-05, 62-05, AND DECLARING AN
EMERGENCY.

Ms. Mershon gave the first reading of the above draft ordinance. Ms. Mershon then
moved to suspend the rules requiring the 2nd and 3rd readings and was seconded by
Ms. Turner. All ayes, motion carried.

**VOTE: AYES: Ms. Mershon, Ms. Turner, Mr. Paini, Mr. Jarvis,
Ms. Eisnaugle, Mr. Donahue, and Dr. Bender.**

NAYS:

Ms. Mershon moved to adopt ordinance 24-07 and was seconded by Mr. Jarvis. All
ayes, motion carried.

**VOTE: AYES: Ms. Mershon, Mr. Jarvis, Ms. Turner, Mr. Paini,
Ms. Eisnaugle, Mr. Donahue, and Dr. Bender.**

NAYS:

Sponsor: Ms. Mershon

O-04-07I AN ORDINANCE TO AMEND ORDINANCE NUMBER 62-05 AND
REPEALING ORDINANCES 86-96, 11-02, AND TO DECLARE AN
EMERGENCY.

Ms. Mershon gave the first reading of the above draft ordinance. Ms. Mershon then
moved to suspend the rules requiring the 2nd and 3rd readings and was seconded by
Ms. Eisnaugle. All ayes, motion carried.

**VOTE: AYES: Ms. Mershon, Ms. Eisnaugle, Ms. Turner, Mr. Paini,
Dr. Bender, Mr. Donahue, and Mr. Jarvis.**

NAYS:

Ms. Mershon moved to adopt ordinance 25-07 and was seconded by Mr. Paini. All
ayes, motion carried.

**VOTE: AYES: Ms. Mershon, Mr. Paini, Ms. Turner, Ms. Eisnaugle,
Mr. Jarvis, Mr. Donahue, and Dr. Bender.**

NAYS:

2nd Reading

Sponsor: Mr. Paini

O-03-07E AN ORDINANCE TO PROHIBIT PARKING ON THE NORTH SIDE OF CANAL
STREET AND THE WEST SIDE OF PRENTISS SCHOOL DRIVE.

Mr. Paini gave the second reading of the above draft ordinance.

3rd Reading

Sponsor: Mr. Jarvis

O-03-07D AUTHORIZING THE ISSUANCE OF NOTES IN THE AMOUNT OF NOT TO

EXCEED \$2,500,000 IN ANTICIPATION OF THE ISSUANCE OF BONDS AND IN ANTICIPATION OF THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS FOR THE PURPOSE OF IMPROVEMENT, CONSTRUCTION, AND RECONSTRUCTION OF DILEY ROAD, BEGINNING AT THE LIMITED ACCESS RIGHT-OF-WAY APPROXIMATELY 1,030 FEET NORTH OF THE INTERSECTION OF DILEY ROAD ON U.S. 33, THENCE NORTH APPROXIMATELY 5,000 FEET, INCLUDING TWO EXISTING INTERSECTIONS AND TWO NEW INTERSECTIONS, WITH RELATED SITE IMPROVEMENTS AND APPURTENANCES THERETO; RETIRING NOTES PREVIOUSLY ISSUED FOR SUCH PURPOSE; AND DECLARING AN EMERGENCY.

Mr. Jarvis gave the third reading of the above draft ordinance. Mr. Jarvis then moved to adopt ordinance 26-07 and was seconded by Ms. Mershon. All ayes, motion carried.

VOTE: **AYES:** **Mr. Jarvis, Ms. Mershon, Mr. Donahue, Dr. Bender,**
 Ms. Turner, Mr. Paini, and Ms. Eisnaugle.
NAYS:

RESOLUTIONS:

1st Reading

Sponsor: Ms. Mershon

R-04-07A A RESOLUTION APPROVING THE RECOMMENDATIONS OF THE TAX INCENTIVE REVIEW COUNCIL FOR FAIRFIELD COUNTY ENTERPRISE ZONE AREAS WITHIN THE VILLAGE OF CANAL WINCHESTER.

Ms. Mershon gave the first reading of the above draft resolution.

Sponsor: Mr. Jarvis

R-04-07B A RESOLUTION TO AUTHORIZE THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING TO CREATE JOINT ECONOMIC DEVELOPMENT DISTRICTS DESIGNED TO FOSTER REGIONAL ECONOMIC DEVELOPMENT.

Mr. Jarvis gave the first reading of the above draft resolution.

Mayor's Report:

Mayor Miller talked about the 33 Growth Alliance and commended them for driving many of the discussion in regard to the Joint Economic Development or their cooperative effort in Regional Development in and around the US 33 area. He talked about what he would be doing in the weeks ahead.

Mr. Jarvis moved to approve the March report of fines and was seconded by Mr. Paini. All ayes, motion carried.

VOTE: **AYES:** **Mr. Jarvis, Mr. Paini, Ms. Turner, Ms. Mershon,**
 Ms. Eisnaugle, Mr. Donahue, and Dr. Bender.

Public Works Director:

None at that time.

Village Solicitor's Report:

Corey Colombo was in for Mr. Hollins who is on vacation. Mr. Colombo said he will continue to move several village projects and if anything comes up while Mr. Hollins gone to contact him.

Fairfield County Sheriff's Report:

Deputy Dixon gave a report on the statistics over the past 2 weeks.

Finance Directors Report:

Ms. Osborn gave her written report as submitted.

Council Reports:

Service Committee: Monday, April 16, 2007 at 5:00 p.m.

Finance Committee: Monday, May 7, 2007 at 6:00 p.m.

Safety Committee: Monday, April 16, 2007 at 6:00 p.m.

Old Town Committee: Monday, May 7, 2007 at 5:00 p.m.

(There will be a focus meeting on the inter urban building on April 19th at @ 7 pm at the village offices.)

New Business:

Ms. Osborn talked about the grant application that was given to council. She said it was submitted by Main Street Canal Winchester for the football for food event this fall and they are requesting \$1,500.

Mr. Jarvis moved to approve the grant application for Main Street Canal Winchester's Football for Food and the application from the Canal Winchester Education Fund. Ms. Turner seconded the motion. All ayes, motion carried.

**VOTE: AYES: Mr. Jarvis, Ms. Turner, Mr. Paini, Mr. Donahue,
Ms. Mershon, Ms. Eisnaugle, and Dr. Bender.**

NAYS:

Old Business:

Mr. Donahue said they had their recommendation presentation on behalf of the Safety Committee and moved that the Finance Director, Mayor and Law Director get all negotiations in order from the bids and have a contract ready for the next council meeting for a 3 year contract with the Fairfield County Sheriff. Mr. Paini seconded the motion. All ayes, motion carried.

**VOTE: AYES: Mr. Donahue, Mr. Paini, Mr. Jarvis, Ms. Turner,
Ms. Mershon, Ms. Eisnaugle, and Dr. Bender.**

NAYS:

Adjournment to Executive Session:

No executive session.

Adjournment:

Mr. Donahue moved to adjourn this meeting of Council and was seconded by Mr. Paini. All ayes, motion carried.

**VOTE: AYES: Mr. Donahue, Mr. Paini, Ms. Turner, Ms. Mershon,
Mr. Jarvis, Ms. Eisnaugle, and Dr. Bender.**

NAYS:

Time out 7:40 pm

Nanisa Osborn, Clerk of Council

John Bender, President

Date

Jeffery J. Miller, Mayor

Lori Nelson, Administrative Assistant

NOTE: The minutes set forth herein are an extract of the Council meetings. Anyone desiring a transcript of the complete minutes of the Council meeting may obtain the same at a cost of \$10.00 per page.